

From: [Patel, Snehal \(CAO\)](#)
To: [Obey, Rita \(PHES\)](#); [Donn Walters/R6/USEPA/US@EPA](#); ['Axe, Al'](#); ['jcermak@bakerlaw.com'](#); [Miller, Gail \(Commissioner Precinct 2\)](#); [Cron, Catarina \(County Judge's Office\)](#); [Blount, John \(HCPID\)](#); ['bstokes@galvbay.org'](#); ['cmasterson@h-gac.com'](#); ['ctaylor@tceq.state.tx.us'](#); ['lvoskov@tceq.state.tx.us'](#); ['dshafer@wm.com'](#); ['nancy.ingram@dshs.state.tx.us'](#); ['wpetit@jgdpc.com'](#); [Seegers, Mark \(Commissioner Precinct 2\)](#); [Hamilton, Dimetra \(HCPID\)](#); ['nhausler@poha.com'](#); ['Powers, Rachel D.'](#); ['gmcmahan@poha.com'](#); [Sanders, Herman \(HCPID\)](#); ['khalidin@wm.com'](#); [Rich O'Connell](#); ['Kathleen.Bark@ipaper.com'](#); ['lhenry@poha.com'](#); ['Patricia.Radloff@tpwd.state.tx.us'](#); [Russo, Nick \(HCPID\)](#); ['msmith4@wm.com'](#); ['kristi.corse@h-gac.com'](#); ['don.pitts@tpwd.state.tx.us'](#); [Barbara Nann/R6/USEPA/US@EPA](#); [Palacio, Herminia MD \(PHES\)](#); ['Steve.Ginski@IPaper.com'](#); ['philip.slowiak@ipaper.com'](#); [Stephen Tzhone/R6/USEPA/US@EPA](#); [O'Rourke, Terence \(CAO\)](#); [Rodriguez, Joel \(CAO\)](#); [Schaffer, Michael \(PHES\)](#)
Subject: RE: San Jacinto Waste Pits - Fence Sign
Date: 03/15/2010 11:40 AM

Thank you, Rita. Here are the TCEQ air quality rules on sign requirements (size etc.) that I told you everyone I would send out as an example.

TITLE 30 ENVIRONMENTAL QUALITY
PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 116 CONTROL OF AIR POLLUTION BY PERMITS FOR NEW CONSTRUCTION OR MODIFICATION
SUBCHAPTER B NEW SOURCE REVIEW PERMITS
DIVISION 3 PUBLIC NOTIFICATION AND COMMENT PROCEDURES
RULE §116.133 Sign Posting Requirements

(a) At the applicant's expense, a sign or signs shall be placed at the site of the proposed facility declaring the filing of an application for a permit and stating the manner in which the commission may be contacted for further information. Such signs shall be provided by the applicant and shall meet the following requirements:

(1) signs shall consist of dark lettering on a white background and shall be no smaller than 18 inches by 28 inches;

(2) signs shall be headed by the words "PROPOSED AIR QUALITY PERMIT" in no less than two-inch boldface block-printed capital lettering;

(3) signs shall include the words "APPLICATION NO." and the number of the permit application in no less than one-inch boldface block-printed capital lettering (more than one number may be included on the signs if the respective public comment periods coincide);

(4) signs shall include the words "for further information contact" in no less than 1/2-inch lettering;

(5) signs shall include the words "Texas Natural Resource Conservation Commission," and the address of the appropriate commission regional office in no less than one-inch boldface capital lettering and 3/4-inch boldface lower case lettering; and

(6) signs shall include the phone number of the appropriate commission office in no less than two-inch boldface numbers.

(b) The sign or signs must be in place by the date of publication of the newspaper notice required by §116.132 of this title (relating to Public Notice Format) and must remain in place and legible throughout the period of public comment provided for in §116.136(a) of this title (relating to Public Comment Procedures).

(c) Each sign placed at the site must be located within ten feet of each (every) property line paralleling a street or other public thoroughfare. Signs must be visible from the street and spaced at not more than 1,500-foot intervals. A minimum of one sign, but no more than three signs shall be required along any property line paralleling a public thoroughfare. The commission may approve variations from these requirements if it is determined that alternative sign posting plans proposed by the applicant are more effective in providing notice to the public.

(d) The commission may approve variations from the requirements of subsection (c) of this section if the applicant has demonstrated that it is not practical to comply with the specific requirements of subsection (c) of this section and alternative sign posting plans proposed by the applicant are at least as effective in providing notice to the public. The approval from the commission under this subsection must be received before posting signs for purposes of satisfying the requirements of this section.

(e) These sign requirements do not apply to properties under the same ownership which are noncontiguous and/or separated by intervening public thoroughfares, unless directly involved by the permit application.

(f) Alternate language sign posting. The requirements of this subsection are applicable whenever either the elementary school or the middle school located nearest to the facility or proposed facility provides a bilingual education program as required by the Education Code, Chapter 29, Subchapter B, and 19 TAC §89.1205(a) or if either school has waived out of such a required bilingual education program under the provisions of 19 TAC §89.1205(g). Schools not governed by the provisions of 19 TAC §89.1205(a) shall not be considered in determining applicability of the requirements of this subsection. Each affected facility shall meet the following requirements.

(1) The applicant shall post an additional sign in each alternate language in which the bilingual education program is taught. If the nearest elementary or middle school has waived out of the requirements of 19 TAC §89.1205(a) under 19 TAC §89.1205(g), the alternate language signs shall be published in the alternate languages in which the bilingual education program would have been taught had the school not waived out of the bilingual education program.

(2) The alternate language signs shall be posted adjacent to each English language sign required in this section.

(3) The alternate language sign posting requirements of this subsection shall be satisfied without regard to whether alternate language notice is required under §116.132(c) of this title (relating to Public Notice Format).

(4) The alternate language signs shall meet all other requirements of this section.

(g) Exemption from alternate language sign posting. Elementary or middle schools that offer English as a second language under 19 TAC §89.1205(e), and are not otherwise affected by 19 TAC §89.1205(a), will not trigger the requirements of subsection (f) of this section.

-----Original Message-----

From: Obey, Rita (PHES)

Sent: Monday, March 15, 2010 11:34 AM

To: Patel, Snehal (CAO); 'walters.donn@epa.gov'; 'Axe, Al'; 'jcermak@bakerlaw.com'; Miller, Gail (Commissioner Precinct 2); Cron, Catarina (County Judge's Office); Obey, Rita (PHES); Blount, John (HCPID); 'bstokes@galvbay.org'; 'cmasterson@h-gac.com'; 'ctaylor@tceq.state.tx.us'; 'lvoskov@tceq.state.tx.us'; 'dshafer@wm.com'; 'nancy.ingram@dshs.state.tx.us'; 'wpetit@jgdpc.com'; Seegers, Mark (Commissioner Precinct 2); Hamilton, Dimetra (HCPID); 'nhausler@poha.com'; 'Powers, Rachel D.'; 'gmcMahon@poha.com'; Sanders, Herman (HCPID); 'khaldin@wm.com'; 'Rich O'Connell'; 'Kathleen.Bark@ipaper.com'; 'lhenry@poha.com'; 'Patricia.Radloff@tpwd.state.tx.us'; Russo, Nick (HCPID); 'msmith4@wm.com'; 'kristi.corse@h-gac.com'; 'don.pitts@tpwd.state.tx.us'; 'Nann.Barbara@epamail.epa.gov'; Palacio, Herminia MD (PHES); 'Steve.Ginski@IPaper.com'; 'philip.slowiak@ipaper.com'; 'tzhone.stephen@epa.gov'; O'Rourke, Terence (CAO); Rodriguez, Joel (CAO)

Subject: San Jacinto Waste Pits - Fence Sign

Good morning everyone,

Attached are the fence signs with warning changed to danger as indicated in our last meeting.

Rita

Rita Obey

Director, Office of Public Information

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